

**GAMBLING CONTROL BOARD MEETING
AGENDA
11/04/04 AT 2:00 p.m.**

Opening: The regular meeting of the Gambling Control Board was called to order at 2:10 p.m. on 11/04/04 at the Dept. of Public Safety, Gambling Control Conference Room by Chairman George McHale.

- **Introduction of Gambling Control Board Members and Staff**

Board Members present: Chairman George McHale, Jean Deighan, Michael Peters, Peter Danton and Larry Hall.

DPS Staff present: Commissioner Michael Cantara,

Board Staff present: Lt. Thomas Kelly, Lt. Timothy Doyle, and Kathy Chamberlain.

Legal Counsel: Laura Y. Smith, A.A.G. and Melissa O'Dea, A.A.G.

- **Review of Penn National's Application for Slot Operator License**

Motion: Mike Peters stated that he had reviewed the three binders from Agriculture, the materials in front of them at the meeting (Exhibits) and read Section 1016 of 1820. With that in mind, and understanding fully that it is a conditional request and is subject to review as the Board proceeds forward, he moved that the Board grant a Conditional License to Penn National.

Clarification: Commissioner Cantara inquired that the condition being that Penn not bring in or operate slot machines into Maine, until the Board receives a full application from Penn?

Motion amended: Mike Peters agreed with Commissioner Cantara and re-stated the motion to include that Penn not request the use of any slot machines in any facility until Board has had time to review a full, completed application or until further action by the Board.

Discussion: Board discussed the application of Penn National, and questioned Steven Snyder, Sr. Vice President of Corporate Development. Board noted that it was important to keep an investigation open and ongoing on Penn National while they continue to make progress on their plans for a racino in Bangor. They also noted that this conditional license would bring Penn National under the regulatory authority of the Board.

Vote on Motion: Unanimous vote by Board to grant Penn National a Conditional license based upon Mr. Peter's previous motion.

Legal Advice to Board: Assistant AG's Laura Y. Smith and Melissa O'Dea will prepare a draft of an order that grants this license to be signed by the Board at the Nov 18th meeting.

Exhibits: List of Exhibits referenced by Board member Mike Peters in his Motion that have been received to date by the Gambling Control Board in consideration of Penn National's application to Maine for a Slot Operator's License.

1. Business Entity Application of Bangor Historic Track, Inc.
2. Written Report dated 10/28/04 to the Gambling Control Board (GCB) from DPS Staff
3. PowerPoint Presentation presented to the GCB on 10/28/04 by Lt. Tim Doyle
4. Written report to GCB from Christian Smith of Macdonald Page Schatz Fletcher which includes Dr. Robert Strong's report
5. PowerPoint presentation of Christian Smith to GCB on 10/28/04
6. PowerPoint presentation of Penn National Gaming, Inc. to GCB on 10/28/04
7. Binder: Volume 1 from Harness Racing Commission (HRC)
8. Binder: Volume 2 from HRC
9. Binder: Volume 7 from HRC
10. Letter from Christian Smith 11/4/04, with email from Dr. Strong of 11/4/04 and various newspaper articles related to Argosy Acquisition
11. Email from Christian Smith 11/4/04, responding to Dr. Strong's opinion
12. 15 pages from Penn National's website re: Argosy acquisition
13. Reuters article 11/4/04, "Moody's may out Penn National, Argosy ratings."

Oral statements of Lt. Tim Doyle, Penn National, Christian Smith and Dr. Strong included.

- **Review of 10/28/04 Minutes:**

Template of future minutes submitted to the Board for consideration.

Motion: Jean Deighan made a motion to accept this template for future minutes; all members seconded motion.

Vote: Unanimous approval.

If a copy of the tape of the meeting is requested, arrangements will be made consistent with other requests.

Motion: made, and seconded by all members.

Vote: Unanimous vote by Board to utilize the new template.

- **New Business:**

Oversight corrected that the December 2, 2004 Board meeting that had been originally scheduled will be cancelled and rescheduled for December 16, 2004. This will be consistent with RFP dates to designate winning proposal for CSMS.

Next Meeting at 11/18/04 at 12:30 p.m. at the Dept. of Public Safety, Gambling Control Conference Room.

Meeting adjourned at 3:15 p.m.